

# Fiscal Note

State of Alaska  
2021 Legislative Session

Bill Version:	CSSSHB 5(STA)
Fiscal Note Number:	3
(H) Publish Date:	5/6/2021

Identifier: HB005-JUD-ACS-3-25-21  
Title: SEXUAL ASSAULT; DEF. OF "CONSENT"  
Sponsor: TARR  
Requester: House State Affairs Committee

Department: Judiciary  
Appropriation: Alaska Court System  
Allocation: Trial Courts  
OMB Component Number: 768

## Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2022 Appropriation Requested	Included in Governor's FY2022 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2022	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	<b>0.0</b>	***	***	***	***	***

## Fund Source (Operating Only)

None							
<b>Total</b>	***	<b>0.0</b>	***	***	***	***	***

## Positions

Full-time							
Part-time							
Temporary							

## Change in Revenues

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2021) cost:** 0.0 (separate supplemental appropriation required)

**Estimated CAPITAL (FY2022) cost:** 0.0 (separate capital appropriation required)

**Does the bill create or modify a new fund or account?** 0  
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

## ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? 0  
If yes, by what date are the regulations to be adopted, amended or repealed? N/A

## Why this fiscal note differs from previous version/comments:

Initial version.

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Agency: Alaska Court System

Phone: (907)463-4736  
Date: 03/25/2021 01:00 PM  
Date: 03/25/21

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2021 LEGISLATIVE SESSION

## Analysis

House Bill 5 reclassifies and redefines certain conduct as sexual abuse of a minor in the first and second degrees depending on the specific conduct and the age difference between the offender and the victim (secs. 1-2), adds a new definition of "consent" that will apply for sexual assault cases (secs. 3-4), makes that new definition apply in other offenses involving sexual crimes (secs. 5-7), and shortens the time period within which a law enforcement agency must ensure that a test is conducted on a sexual assault examination kit (sec. 8).

The court system anticipates that the changed definitions, and the broader scope of conduct that may be included in the definition of sexual assault crimes, may lead to an increase in the number of sexual assault cases that are filed with the court, and also will lead to an increase in the number of felony sexual assault trials. The increases in filings and trials in felony sexual assault cases is expected to occur in the areas of the state where the number of sexual assault cases is higher, which can involve areas of the state that cause increased jury costs for the court system.

Though House Bill 5 is expected to change the number of sexual assault case filings and trials, the amount that it will affect the court system's workload and costs is not able to be determined. The court system therefore submits this indeterminate fiscal note.